

## **Action Items Adopted by Delta Vision BRTF:**

April 25, 2008

### **Guidance re current work:**

1. Guidance to Delta as place work group:
  - Provide opportunity for multiple formal designations within the Delta (e.g., Delta Trail System, XXX ecological reserve, yyy recreation area) and for private and non-governmental initiatives supporting Delta as a unique and valued area.
  - Further develop categories of land uses protected, appropriate levees and levee financing.
2. Guidance to reliable water work group:
  - Prioritize strategy recommendations (at least in groups).
  - Further develop ideas on policies regarding watershed and groundwater basin management and water transfers which retain high productivity lands in agriculture.
  - Develop strategies which will reduce demand for water from Delta.
  - Describe range of options to improve Middle River conveyance.
  - Propose a water reliability performance standard.
3. Guidance to governance work group:
  - Institutionalize science and engineering advice in decision processes.
  - Explore possibility of a land and water conservancy function.
  - Explore non-governmental forms of conservancies that are entrepreneurial and linked closely to Delta-as-Place goals, including the Presidio Trust.
  - With regard to consistency, be explicit about obligation of participating agencies to comply with larger Vision goals in exercising their authority.
  - Clarify plan outcomes/goals, and roles and responsibilities of entities, including performance measures.
  - Develop language that describes an adaptive management strategy, incorporating periodic (every 10 or 20 years) re-evaluation of the entire operation and goals, as well as possibility for exceptional circumstances to trigger a review.

- Consider whether subsidiary agencies would have a right to petition the co-equal body to conduct a review but without expectation that such a request mandates a review.
- Incorporate the CZMA as a potential tool in achieving federal consistency with state policies.

4. Guidance to finance sub-work group:

- Explore potential advantages and disadvantages of governmental entities involved in Delta governance and designated non-profit organizations, and/or private entities, having legal capacity to issue revenue bonds for Delta-related projects. Similarly, explore potential advantages and disadvantages of the governmental entity using a non-profit organization and/or a private entity to distribute its funds.
- Explore use of competitive bidding processes to determine sizing, location, operations and financing of Delta-related water facilities and ecosystem projects. The intent is different than bidding on design and construction projects, but rather to publicly establish the terms of the contract as it is developed, using the bidding process to elicit commitments and information valuable in decisions about the location, timing, size, operations and financing of projects as decisions are made.

5. Guidance to ecosystem work group:

- In presentation materials, put policy-relevant information first, and justification and details later.
- In final work product, note that Delta Vision is distinct from BDCP insofar as the former looks at the big picture, is comprehensive, and looks upstream and downstream and outside the legal Delta as necessary; while BDCP focuses on projects, listed species (although expected to expand beyond this), and the legal Delta.
- Clarify the approach to ensuring healthy populations of plants, mammals and other organisms, considering which species are most critical to supporting ecosystem functions, and what can actually be achieved.

6. Guidance to staff:

- Continue joint fact-finding on levee design, costs, and financing. Identify and organize information about policies to link categories of land uses to types of levees and financing systems. Task Contra Costa County, San Joaquin County, Solano County, and Con-

tra Costa Water District with proposing what they think would work in this area.

- Identify mechanisms to speed implementation of the Strategic Plan. These ideas should include improvements in satisfying regulatory approval processes and ideas to accelerate completion of projects, including consideration of design-build approaches.
- Identify different ways to assure implementation of recommendations in the Delta Vision strategic plan, given the large economic interests involved, the complexity of actions anticipated, the fragmentation of both public decision making and implementation capacities, and anticipated large fiscal requirements.

Direction to staff for future agendas:

7. Develop options to gain additional meeting time during consideration of strategic plan drafts, giving priority to opportunities within the current two-day meeting blocks.
8. In legal update, provide information about potential consequences of pending California Supreme Court case regarding distinction between taxes and fees.
9. Draft Task Force recommendations regarding the BDCP EIR/S scoping process, building from the recommendations of the adopted vision. This is expected to be an action item on May 28, the first day of the next meeting. Those draft recommendations should include:
  - Inclusion of improvements to existing conveyance and storage systems, including reliability of water supply, ecosystem function and reduction in risks from floods or seismic events, as these current systems will remain critical to California for many years.
  - Inclusion of the four recommendations based on the CALFED analyses of prior studies of alternatives for conveyance:
    1. ecosystem health and resilience
    2. surface and groundwater management
    3. monitoring, assessment and reporting program
    4. climate change and sea level rise effects
  - Clarify the complexity and cost of proposed Middle River conveyance: for example, is this (a) inexpensive interim upgrading, (b) improvements with semi-permanent features sacrificial to an earthquake, or (c) a permanent design that after catastrophe is reclaimed and re-operated? To what extent does this approach to

through Delta conveyance rely on unconfined use of the variety of waterways in the Delta vs. confining flows to selected waterways?

- Include analysis of “dual conveyance” defined as an isolated facility with improved through-Delta conveyance, including not just barriers and gates but also increased capacity (as opposed to isolated conveyance with existing through Delta capacity).
10. Draft guidance for any measure financing water infrastructure projects, including any bond, should include two features. First, it should enumerate policy goals based on the adopted vision to provide the foundation for allocation and operating decisions. Second, it should include language conditioning receipt of any funds provided to a water district or other entity on meeting all applicable state policies for water use, environmental protection, water rights, and water quality.
  11. Organize an extended discussion regarding the role of levees in the Delta, including categories of lands protected, types of levees, costs, financing and ecosystem consequences of different levee types and configurations with the goal of informing recommendations in the strategic plan. Where appropriate, information on possible sequencing of decisions and actions should be provided.

#### Requests for information and reports:

12. Request OAG to provide language providing entities recommended by the Task Force access to revenue bond tax exempt financing. Request that this language also include the possibility of such issuance by a non-governmental organization.
13. Provide an electronic copy of Judge Wanger’s salmon decision to Task Force members.
14. Once the second workshop on conveyance/modeling is confirmed, send the information and agenda to the Task Force members.
15. A copy of the full assessment report on dual conveyance prepared by DWR.
16. Request written comments from Tim Quinn, Michael Coleman, and Wendy Illingworth.